

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Gram Panchayats – Sriparru Gram Panchayat of Eluru Rural Mandal, West Godavari District –Bifurcation of Sriparru Gram Panchayat and constitution of Kalakurru as a new Gram Panchayat – Final orders on revision petition as per the directions of the Hon'ble High Court of Andhra Pradesh- Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (Pts.IV) DEPARTMENT

G.O.Ms.No. 283

Dated: 11.06.2013
Read the following:-

1. Revision Petition filed by Sri G. Krishna Rao of Kalakurru Village
Dated Nil.
2. G.O.Rt.No.933, PR & RD (Pts.IV) Dept, Dated 2.6.1995.
3. From the APHC orders dt.15.06.1995 in W.P.MP.No.13809/1995
in W.P.No.11276/1995.
4. From the APHC orders dt.26.02.2002 in W.P.Nos.11276/1995 and
20566/2001.
5. Govt. Memo No.37026/Pts.IV.A1/2001-17, Dated:10.03.2003.
6. From District Collector, W.G., Letter No.A2/2054/1994,
Dated: 11.04.2013.

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ORDER:

In the letter 1st read above, Sri G. Krishna Rao of Kalakurru Village has filed a revision petition against the orders of the District Collector, West Godavari, Eluru issued vide proceedings Roc.No.2054/94A6,. Dated: 12.5.1995 rejecting the request of bifurcation of Sriparru Gram Panchayat and constitution of Kalakurru Gram Panchayat.

2. In the G.O. 2nd read above, Government have examined the said revision petition in the hearing held on 25.5.1995 in the Chambers of Minister (PR&RWS) and after careful examination of the matter in the light of the connected records have issued orders bifurcating the Sriparru Gram Panchayat and constitute a new Gram Panchayat Kalakurru duly disposing the revision petition filed by Sri G.Krishna Rao of kalakuru village.

3. Aggrieved by the said bifurcation orders, Sri Ch.Tirupathiswamy and others, Residents of Maheswarapuram Hamlet of Sriparru Gram Panchayat have filed W.P.No.11276/1995 and the Hon'ble High Court of Andhra Pradesh have granted stay in its order dt.15.06.1995 in W.P.M.P.No.13809/1995 on the orders of Government. Due to this, the Sarpanch and Ward Members who were elected unanimously during the elections held in the year 1995 were not assumed charge and thereafter Sri Ghantalakrishna Rao was appointed as Person-in-charge to Kalakurru Gram Panchayat.

4. While the matter stood thus, Sri. K. Shyam Babu and others have filed W.P.No.20566/2001 and the Hon'ble High Court of Andhra Pradesh heard the Writ Petitions 11276/1995 and 20566/2001 and its common orders dated 26.2.2002 have set aside the G.O.Rt.No.933, Panchayat Raj & Rural Development (Pts.IV) Department, Dated 2.6.1995 on the ground of non-granting of opportunity to the affected parties as contemplated under the proviso to section 264 of the Andhra Pradesh Panchayat Raj Act, 1994 and remitted back the matter to Government with a direction to issue a notice to both the Writ Petitioners and also concerned Gram Panchayats and dispose of the Revision Petition filed by Sri G. Krishna Rao afresh.

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5. As per the directions of the High Court, the Revision Petition of Sri G. Krishna Rao, was heard again on 20.01.2003 duly issuing notices to the both Writ Petitioners and also the concerned Gram Panchayats. The District Panchayat Officer, West Godavari District, the Person-in-Charge of Kalakurru, residents of Maheswarapuram and their Counsel attended the Hearing. After hearing of the case, the District Collector, West Godavari, was requested to furnish a comprehensive report with specific recommendations for taking further action through the memo 5th read above.

6. In the letter 6th read above, the District Collector, West Godavari, has submitted a comprehensive report and requested the Government to confirm the orders passed in G.O.Rt.No.933, Panchayat Raj & Rural Development (Pts.IV) Department, Dated 2.6.1995 in which the Government have bifurcated the Sriparru Gram Panchayat and constituted Kalakurru Gram Panchayat.

7. Government after careful examination of the matter and keeping in view of the hearing held on 20.1.2003 with the affected parties, comprehensive report of the District Collector, West Godavari and also keeping in view the fact that the newly constituted Gram Panchayat kalakurru is going without democratic representation since 1995, due to pendency of the Writ Petition before the Hon'ble High Court of Andhra Pradesh and the Revision Petition pending before Government, have decided and hereby upheld the G.O.Rt.No.933, Panchayat Raj & Rural Development (Pts.IV) Department, Dated 2.6.1995.

8. The Commissioner of Panchayat Raj & Rural Employment, Hyderabad and the District Collector, West Godavari, are requested to take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Commissioner, Panchayat Raj & Rural Employment, Hyderabad.

The District Collector, West Godavari, Eluru

Copy to:

Sri G.Krishna Rao, (Through District Panchayat Officer, West Godavari District, Eluru)

The District Panchayat Officer, West Godavari District Eluru.

P.S. to Spl Secy to C.M.

P.S. to Minister for Panchayat Raj & RWS.

The P.R & R.D (Mandals-II) Department,

The PR&RD (Genl) Department,

The Law (A) Department.

Sc/Sf.

// FORWARDED:: BY ORDER //

SECTION OFFICER